



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice April 26, 2021**

This meeting is being held remotely in accordance with the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, Section 20. Public comments will be accepted during the public comment periods designated in the agenda. Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to [jraitt@town.arlington.ma.us](mailto:jraitt@town.arlington.ma.us) by April 26, 2021 at 4:00 p.m. The Board requests that correspondence that includes visual information should be provided by April 23, 2021 at 12:00 p.m.

The Arlington Redevelopment Board will meet Monday, April 26, 2021 at 7:00 PM in the **Join Zoom Meeting with audio and video by connecting using this link and Meeting ID: <https://town-arlington-ma-us.zoom.us/j/91333575310> | Meeting ID: 913 3357 5310** or join by calling: 1-646-876-9923, enter Meeting ID 913 3357 5310 followed by #

#### **1. Docket #3654, 1050 Massachusetts Avenue \*Public Hearing\***

7:00 p.m. Board will open a public hearing to review an application filed on March 26, 2021 by Paul Piatelli, 33 Hope Street, Attleboro, MA, to open Special Permit Docket #3654 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a Del's Lemonade where products are manufactured and packaged and sold at retail on the premises at 1050 Massachusetts Avenue, Arlington, MA in the B2 Neighborhood Business District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.4, Environmental Design Review.

- Applicant will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

#### **2. Article 35 Substitute Motion**

7:30 p.m. Board will discuss Article 35 Substitute Motion filed by Kristin Anderson, Precinct 13, Town Meeting Member.

#### **3. Meeting Minutes (3/29/21)**

7:50 p.m. Board will review and approve minutes

#### **4. Adjourn to Annual Town Meeting**

7:55 p.m. Board will adjourn to Annual Town Meeting



## Town of Arlington, Massachusetts

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### Docket #3654, 1050 Massachusetts Avenue \*Public Hearing\*

#### Summary:

7:00 p.m.

Board will open a public hearing to review an application filed on March 26, 2021 by Paul Piatelli, 33 Hope Street, Attleboro, MA, to open Special Permit Docket #3654 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a Del's Lemonade where products are manufactured and packaged and sold at retail on the premises at 1050 Massachusetts Avenue, Arlington, MA in the B2 Neighborhood Business District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.4, Environmental Design Review.

- Applicant will be provided 5 minutes for a presentation.
- DPCD staff will be provided 3 minutes to discuss public hearing memo.
- Members of the public will be provided time to comment.
- Board members will discuss each docket and may vote.

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	EDR_Public_Hearing_Memo_Docket_#3645_1050_Mass_Ave.pdf	EDR Public Hearing Memo Docket #3645 1050 Mass Ave
▢ Reference Material	Del's_Lemonade_Complete_Application_Materials_reduced.pdf	Del's Lemonade Complete Application Materials
▢ Reference Material	Coorespondence_received_from_A._DiNoto_041121.pdf	Correspondence from A. DiNoto received 04112021



**Town of Arlington, Massachusetts**  
Department of Planning & Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

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**Public Hearing Memorandum**

*The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.*

**To:** Arlington Redevelopment Board

**From:** Jennifer Raitt, Secretary Ex-Officio

**Subject:** Environmental Design Review, 1050 Massachusetts Avenue, Arlington, MA  
Docket #3654

**Date:** April 21, 2021

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**I. Docket Summary**

This is an application filed on March 26, 2021 by Paul Piatelli, 33 Hope Street, Attleboro, MA, to open Special Permit Docket #3654 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review. The applicant proposes to establish a Del's Lemonade where products are manufactured and packaged and sold at retail on the premises at 1050 Massachusetts Avenue, Arlington, MA in the B2 Neighborhood Business District. The opening of the Special Permit is to allow the Board to review and approve the project under Section 3.4, Environmental Design Review.

Materials submitted for consideration of this application include:

- Application for EDR Special Permit,
- Dimensional information of the proposed signage, and
- Renderings of signage.

**II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)**

**1. Section 3.3.3.A.**

**The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.**

A fast-order food restaurant is allowed in the B2 Neighborhood Business District. The Neighborhood Business District is intended for small retail and service establishments serving the needs of adjacent neighborhoods and oriented to pedestrian traffic, and mixed-use buildings along Massachusetts Avenue. The Board can find that this condition is met.

**2. Section 3.3.3.B.**

**The requested use is essential or desirable to the public convenience or welfare.**

A fast-order food restaurant would add vitality to Brattle Square and an amenity to people utilizing the Minuteman Bikeway in the vicinity of this block. This use would be appropriately located in a commercial district. The Board can find that this condition is met.

**3. Section 3.3.3.C.**

**The requested use will not create undue traffic congestion or unduly impair pedestrian safety.**

The proposed renovations to the façade and the take-out nature of the proposed fast-order food restaurant may create some congestion along the public right-of-way. 1050 Mass Ave and the entire building at Brattle Square directly abuts the sidewalk. The applicant should describe how they will ensure that customers are served efficiently and without unduly impairing pedestrian safety in the vicinity.

**4. Section 3.3.3.D.**

**The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.**

The requested use will not overload any public utilities. The Board can find that this condition is met.

**5. Section 3.3.3.E.**

**Any special regulations for the use as may be provided in the Bylaw are fulfilled.**

No special regulations are applicable to the proposal. The Board can find that this condition is met.

**6. Section 3.3.3.F.**

**The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.**

The requested use does not impair the integrity or character of the neighborhood. The Board can find that this condition is met.

**7. Section 3.3.3.G.**

**The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.**

The requested use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

**III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)**

**1. EDR-1 Preservation of Landscape**

**The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

This property directly abuts the public sidewalk at a zero-lot line. There is no landscape to preserve in a natural state. The Board can find that this condition is met.

**2. EDR-2 Relation of the Building to the Environment**

**Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.**

The applicant is proposing modifications to the windows and signage which will not alter the building in relation to the environment. The Board can find that this condition is met.

**3. EDR-3 Open Space**

**All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.**

There currently is not any open space and none is proposed due to the nature of the building in relation to the public sidewalk. The Board can find that this condition is met.

**4. EDR-4 Circulation**

**With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to**

location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The existing circulation does not change. The Board can find that this condition is met.

**5. EDR-5 Surface Water Drainage**

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

There will be no changes to the exterior of the building that will impact surface water drainage or run-off. The Board can find that this condition is met.

**6. EDR-6 Utilities Service**

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

There will be no changes to the utility service because of this proposal. The Board can find that this condition is met.

**7. EDR-7 Advertising Features**

**The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.**

The applicant intends to create a fast-order food restaurant in this space that will include a permanent takeout window. The indoor operation will be open only to Del's staff. There is no indoor seating proposed or public restroom usage.

In the future, the applicant is interest in considering outdoor seating and would need to apply for a separate café sidewalk seating permit through the Select Board. In addition to any seating, the applicant may also explore installing planters or other greenery with permission from the Select Board due to the nature of permitting in the public right-of-way.

The existing façade which includes three windows and a door with a transom window above each unit will be primarily covered in signage. Two windows will be transformed into operable pick-up and ordering window units. Another window will be stationary and covered by a menu showing items for sale and pricing. The door will remain and is also proposed to be covered with signage. The expanded panel below each window unit will be painted white.

There is a significant amount of window signage proposed. The total combined area for permanent and temporary window signs may not exceed 25% of the area of the window where they are displayed. Additionally, signage must be mounted from the inside. The menu signage covering the picture window, door signage, and food text on each of the three transom windows above the picture windows all exceed the signage area requirements.

The existing Projecting Sign was installed under a ZBA special permit. Projecting Signs are not allowed in the Residential/ Business Sign District. The existing sign is internally illuminated with fluorescent lights. The proposed sign face insert on this Projecting Sign will cover the entire sign area of 24" in height and 42" wide.

**8. EDR-8 Special Features**

**Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.**

No changes are proposed. The Board can find that this condition is met.

**9. EDR-9 Safety**



**With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.**

No changes are proposed. The Board can find that this condition is met.

**10. EDR-10 Heritage**

**With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.**

The building containing 1050 Massachusetts Avenue is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington*. The proposed use and façade improvements do not disrupt historic, traditional, or significant uses, structures, or architectural elements. The Board can find that this condition is met.

**11. EDR-11 Microclimate**

**With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.**

No changes are proposed. The Board can find that this condition is met.

**12. EDR-12 Sustainable Building and Site Design**

**Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.**

No changes are proposed. The Board can find that this condition is met.

**IV. Conditions**

1. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.

2. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions, or modify these conditions as it deems appropriate to protect the public interest and welfare.
3. Projecting Sign shall not be illuminated between 12:00 AM and 6:00 AM.



TOWN OF ARLINGTON  
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design  
Review Procedures (Section 3.4 of the Zoning Bylaw)

Docket No. \_\_\_\_\_

1. Property Address 1050 MASS AVE, Arlington, MA 02476-4315  
Name of Record Owner(s) Fresh Pond Shopping Ctr Trust Phone 617-492-3924  
Address of Owner 545 Concord Ave Unit 400, Cambridge, MA 02138  
Street City, State, Zip

2. Name of Applicant(s) (if different than above) Paul Piatelli  
Address 33 Hope St Attleboro MA 02703 Phone 508-523-5781  
Status Relative to Property (occupant, purchaser, etc.) Tenant

3. Location of Property 1050 MASS AVE Arlington, MA 02476  
Assessor's Block Plan, Block, Lot No.

4. Deed recorded in the Registry of deeds, Book 49549, Page 175;  
-or- registered in Land Registration Office, Cert. No. \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_.

5. Present Use of Property (include # of dwelling units, if any) OFFICE / Retail

6. Proposed Use of Property (include # of dwelling units, if any) Retail; change front windows  
to be "take out"

7. Permit applied for in accordance with 3.4 EDR  
the following Zoning Bylaw section(s) \_\_\_\_\_  
\_\_\_\_\_ section(s) title(s)  
\_\_\_\_\_

8. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.

(In the statement below, strike out the words that do not apply)

The applicant states that PAP INC / tenant is the owner -or- occupant -or- purchaser under agreement of the property in Arlington located at 1050 MASS AVE Arlington 02476 which is the subject of this application; and that unfavorable action -or- no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s)

33 Hope St. Attleboro, MA 02703 508-523-5781  
Address Phone



**Town of Arlington Redevelopment Board  
Application for Special Permit in accordance with  
Environmental Design Review (Section 3.4)**

**Required Submittals Checklist**

Two full sets of materials and one electronic copy are required. A model may be requested. Review the ARB's Rules and Regulations, which can be found at [arlingtonma.gov/arb](http://arlingtonma.gov/arb), for the full list of required submittals.

- See Attached for Below:

- \_\_\_\_\_ Dimensional and Parking Information Form (see attached)
- \_\_\_\_\_ Site plan of proposal
- \_\_\_\_\_ Model, if required
- \_\_\_\_\_ Drawing of existing conditions
- \_\_\_\_\_ Drawing of proposed structure
- \_\_\_\_\_ Proposed landscaping. May be incorporated into site plan
- \_\_\_\_\_ Photographs
- \_\_\_\_\_ Impact statement
- \_\_\_\_\_ Application and plans for sign permits
- \_\_\_\_\_ Stormwater management plan (for stormwater management during construction for projects with new construction)

**FOR OFFICE USE ONLY**

- |  |             |
|--|-------------|
| _____ Special Permit Granted                               | Date: _____ |
| _____ Received evidence of filing with Registry of Deeds   | Date: _____ |
| _____ Notified Building Inspector of Special Permit filing | Date: _____ |

**TOWN OF ARLINGTON  
REDEVELOPMENT BOARD**

**Petition for Special Permit under Environmental Design Review (see Section 3.4 of the  
Arlington Zoning Bylaw for Applicability)**

For projects subject to Environmental Design Review, (see Section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. **Preservation of Landscape.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.
3. **Open Space.** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.
4. **Circulation.** With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.
5. **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

6. **Utility Service.** Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.
7. **Advertising Features.** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.

8. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
9. **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.
10. **Heritage.** With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
11. **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.
12. **Sustainable Building and Site Design.** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project. [LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b> ]

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.
2. The requested use is essential or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.
5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.
6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.
7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

# TOWN OF ARLINGTON

Dimensional and Parking Information  
for Application to  
The Arlington Redevelopment Board

Docket No. \_\_\_\_\_

Property Location 1036-1062 MASS AVE (1050 MASS AVE)

Zoning District B2

Owner: Fresh Pond Shopping Ctr T

Address: 545 Concord AVE, unit 400 Cambridge, MA 02138

Present Use/Occupancy: No. of Dwelling Units:

Office / Retail

Uses and their gross square feet:

Vacant / 575

Proposed Use/Occupancy: No. of Dwelling Units:

office / Retail → change window @ 1050

Uses and their gross square feet:

Retail / 575

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	<u>.49 Acres</u>	<u>.49 Acres</u>	min.
Frontage			min.
Floor Area Ratio			max.
Lot Coverage (%), where applicable			max.
Lot Area per Dwelling Unit (square feet)			min.
Front Yard Depth (feet)			min.
Side Yard Width (feet) right side			min.
left side			min.
Rear Yard Depth (feet)			min.
Height			min.
Stories			stories
Feet			feet
Open Space (% of G.F.A.)			min.
Landscaped (square feet)			(s.f.)
Usable (square feet)			(s.f.)
Parking Spaces (No.)	<u>Ø</u>	<u>Ø</u>	min.
Parking Area Setbacks (feet), where applicable			min.
Loading Spaces (No.)			min.
Type of Construction	<u>Window Replacement</u>		
Distance to Nearest Building			min.





To Whom it May Concern,

We'd first like to thank you for your time and consideration in reviewing our application to become the newest member of Arlington's small businesses. We're thrilled about the opportunity to share Del's Lemonade with the Arlington community.

PAP Inc. DBA Del's Lemonade has been growing since 2003; we began in Attleboro, MA and have very much enjoyed serving this community.

We've organically been making our way to the Boston area through our partnership with the Boston Red Sox. Slowly our roots have been deepening in the greater Boston area through our fundraising efforts, corporate events, farmers markets, weddings, etc. We've been on the hunt for the perfect spot and 1050 Mass Ave certainly fits the bill.

Given our new normal and aligning with Arlington's active community; we have put careful thought into the set up for our store. We envision a take-out window to eliminate the indoor contact that will also allow for faster transactions where customers can safely order and pick-up outside.

Our goal is to be most accommodating to the active lifestyles of the neighborhood. Located near the Minuteman Bikeway, the ease of grabbing a hot dog and lemonade at our take-out window could not be easier as guests will not have to lock bikes, tie up dogs, or remove children from strollers.

With regard to Section 6.2.2(C) of the Zoning Bylaw our; there are exterior windows that are visible to the general public. These windows will display our menu and will be greater than 12 square feet. The contents of this sign will be limited to our menu offerings and contact information.

Additionally, we are excited to have Del's bring more jobs into the community. Being seasonal we are an excellent job opportunity for students or others that have summer availability.

To know Del's, is to love it! We could not be more excited for the opportunity to share this refreshingly different all-natural lemonade with the people of Arlington.

We look forward to working with the town hall and becoming one of Arlington's fan favorites.

Please do not hesitate to follow up with any questions or concerns.

All the best,

PAP Inc. DBA Del's Lemonade

Paul Piatelli  
President

A handwritten signature in blue ink, appearing to read "Paul Piatelli", is written over the printed name. The signature is stylized with a large, sweeping flourish.



PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



**Brattle Square:**



**Sidewalk View:**



PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



Front of Building:



Exterior Front Windows:





PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



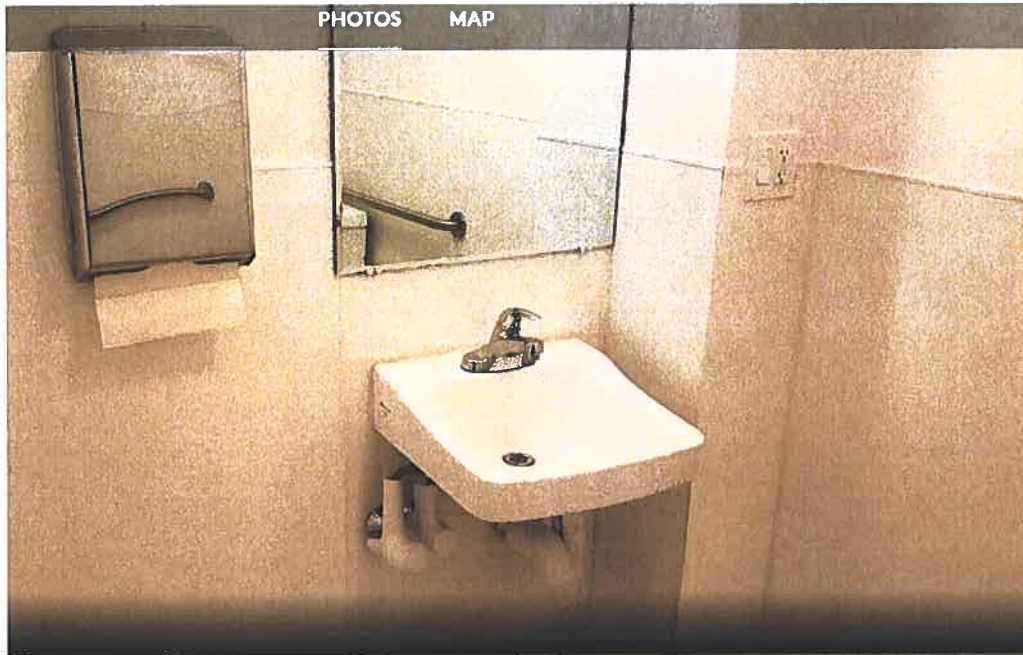
**Interior View of Front Window:**



PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



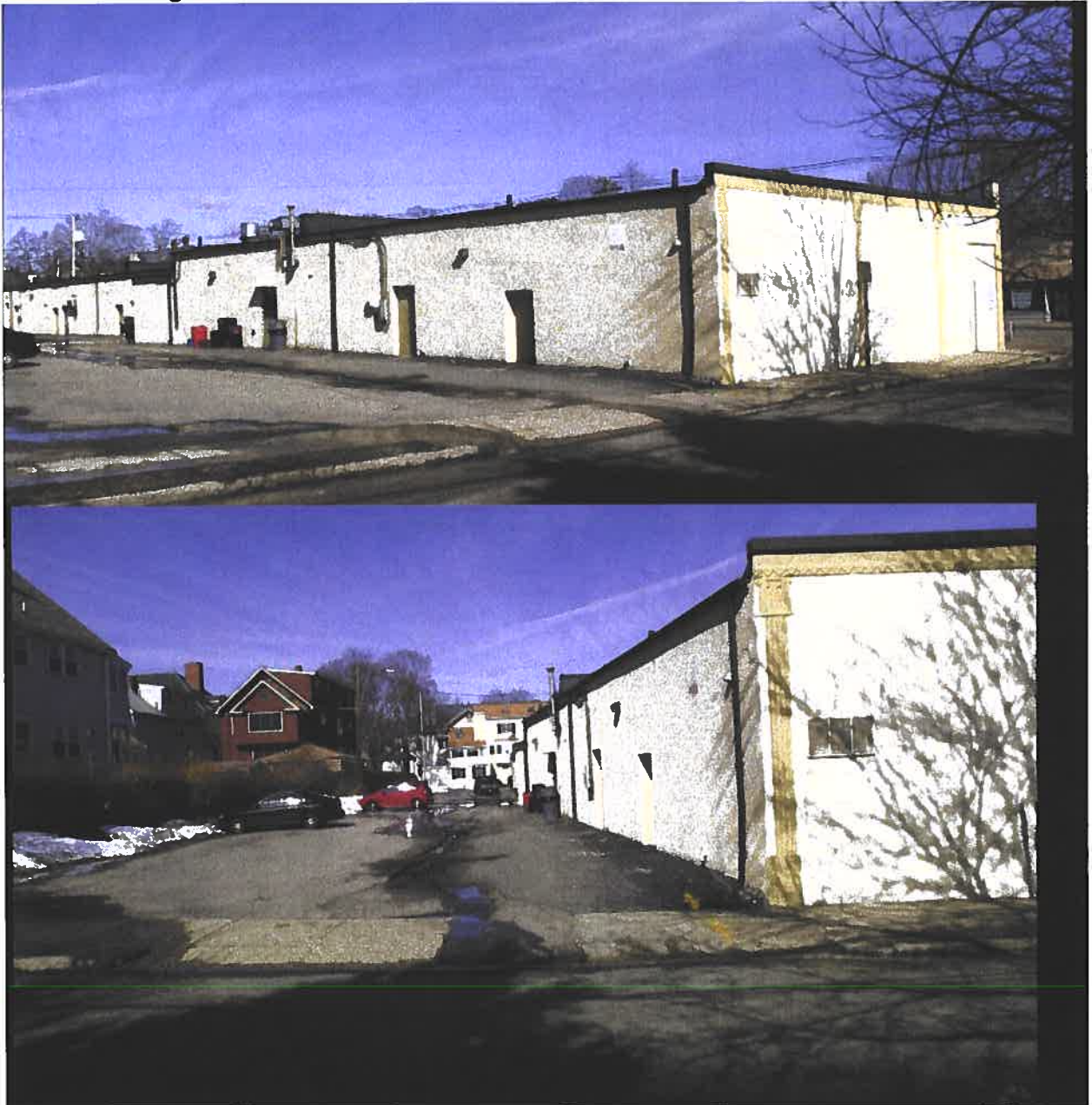
**Bathroom:**



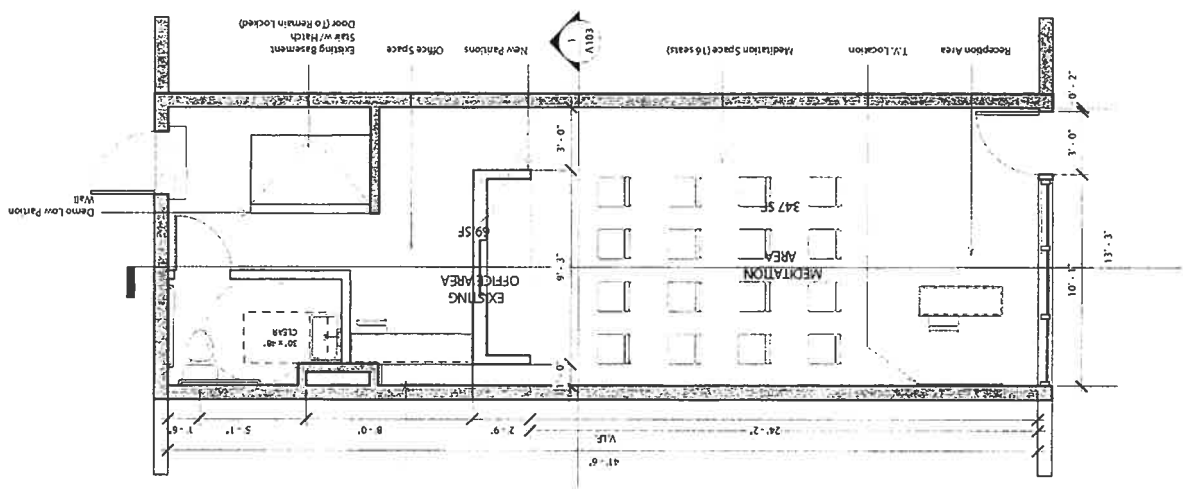
PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



**Rear of Building:**



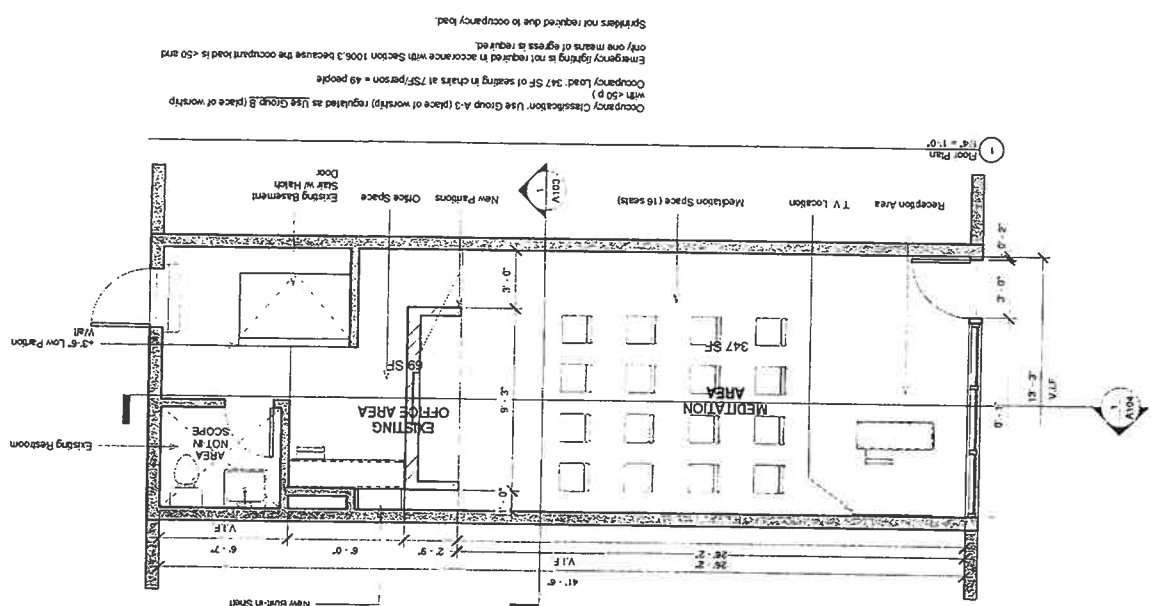




## Floor Plan

Scale 1/4" = 1'-0"

4/7/2017 10:41:40 AM



# Dei's Lemonade

Tenant Fit-Out

1050 Massachusetts Avenue

Arlington, MA



Creative Designs by Scott

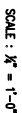
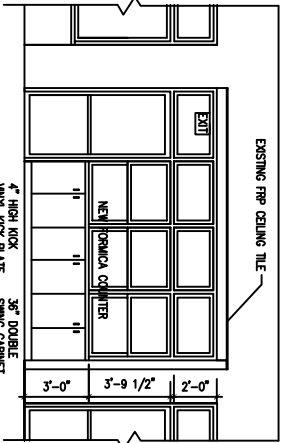
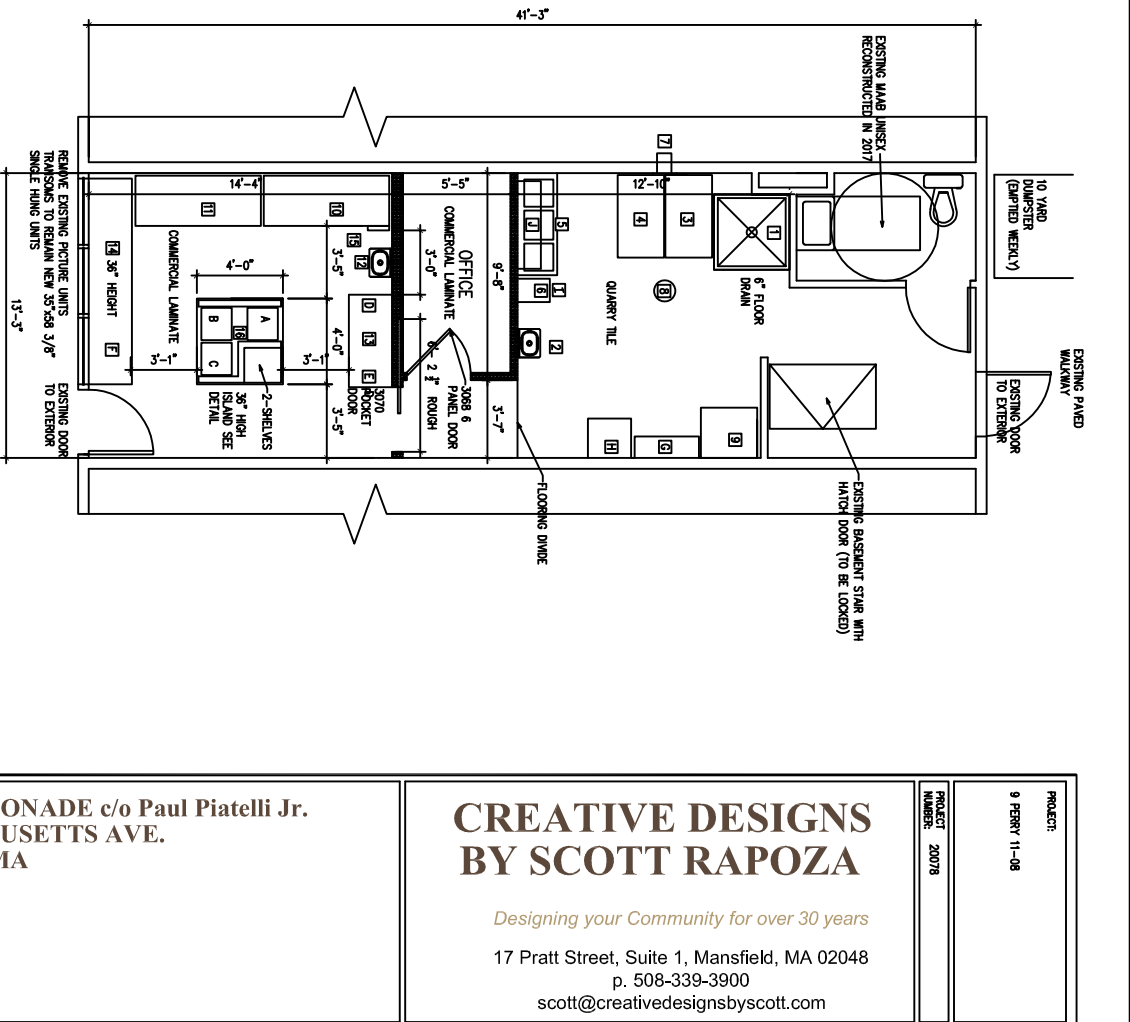
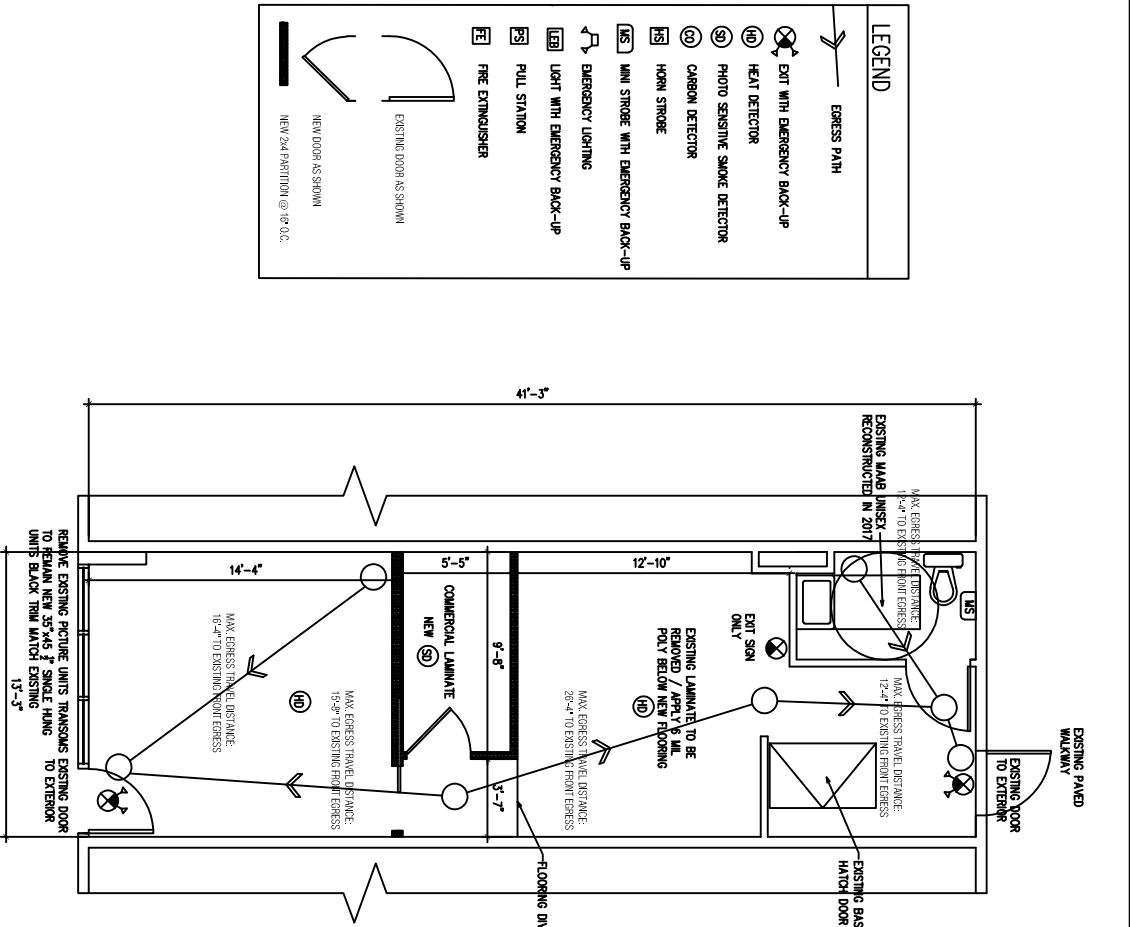
785 Pike Avenue

Attleboro, MA

508-339-3900

[scott@creativedesignsbyscott.com](mailto:scott@creativedesignsbyscott.com)



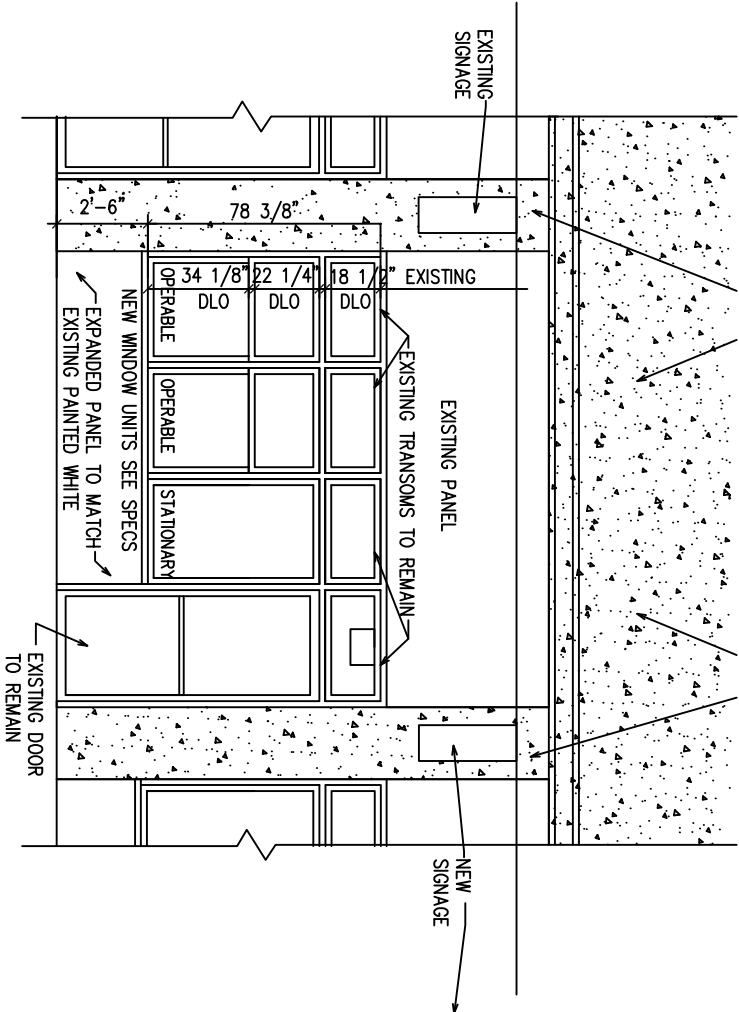
[illegible]

**for: DEL'S LEMONADE c/o Paul Piatelli Jr.  
1050 MASSACHUSETTS AVE.  
ARLINGTON, MA**

17 Pratt Street, Suite 1, Mansfield, MA 02048  
p. 508-339-3900  
scott@creativedesignsbyscott.com

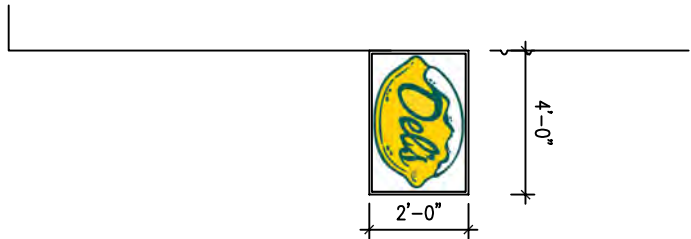
PROJECT NUMBER:	2007
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# A1.0



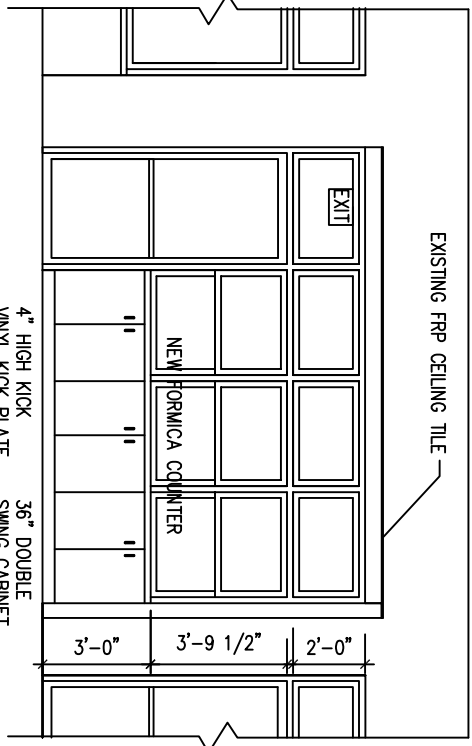
NEW FRONT EXTERIOR VIEW

SCALE : 3/16" = 1'-0"



NEW SIDE EXTERIOR VIEW

SCALE : 1/4" = 1'-0"



NEW INTERIOR VIEW

SCALE : 3/16" = 1'-0"

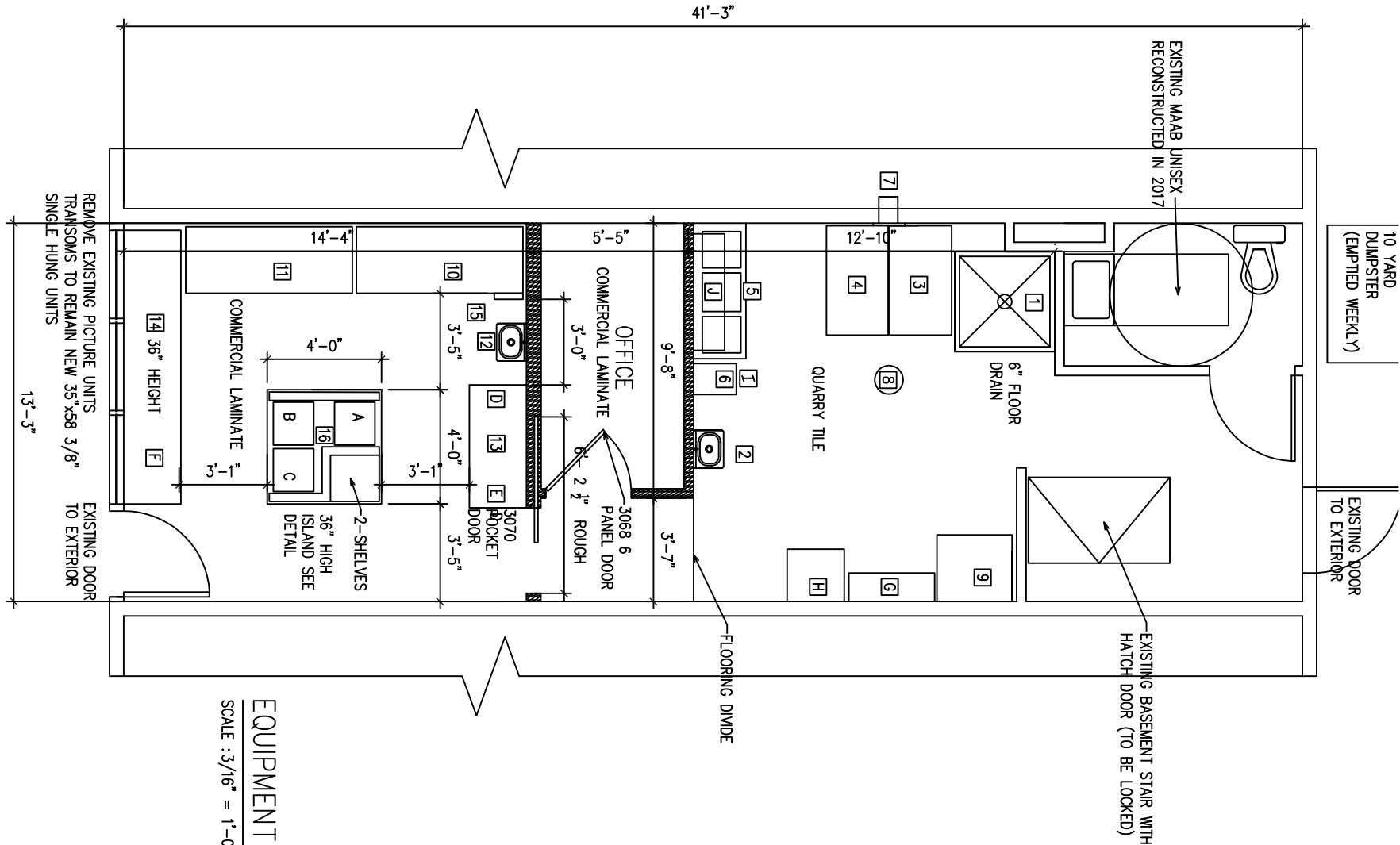
## WINDOW SPECIFICATIONS

MANUFACTURER :	PORTAL INC.
DESIGN MODEL # :	325TB
WINDOW TYPE A :	VERTICAL SLIDER - DOUBLE HUNG
WINDOW TYPE B :	PICTURE
FRAME COMPOSITION:	ALUMINUM WITH THERMAL BREAK
GLAZING/VENT/FRAME COMPOSITION:	ALUMINUM WITH THERMAL BREAK
FRAME BREAK MATERIAL:	POURED URETHANE
FRAME SIZE:	35" x 58 3/8"
FRAME ALUE:	0.30 LOW E" ARGON
SELECTED FRAME DIMENSIONS	
WIDTH:	2.875"
HEIGHT:	2.875"
WIDTH:	2.125"
HEIGHT:	2.125"
WIDTH:	3.3125"
HEIGHT:	3.3125"

## GENERAL NOTES

GLAZING: BOTH SASHES WERE CHANNEL GLAZED USING SEALED INSULATED GLASS WITH A FLEXIBLE VINYL GLAZING BEAD. THREE (3) LEAVES OF DUAL DIAPHRAGM GLAZING FINGERS PER CHANNEL FACE. THE OVERALL INSULATING GLASS THICKNESS WAS 7/8" CONSISTING OF TWO (2) LITES OF 3/16" THICK ANNEALED GLASS AND ONE (1) ARGON-FILLED SPACE CREATED BE A DESICCANT FILLED ALUMINUM SPACER SYSTEM.

WEATHERSEALS: TWO (2) STRIPS OF CENTER FIN WEATHERSTRIP (0.230") WERE LOCATED AT THE SASH STILES. ONE STRIP OF CENTER FIN WEATHERSTRIP (0.230" HIGH) WAS LOCATED AT HEAD. TWO (2) STRIPS OF CENTER FIN WEATHERSTRIP (0.190" HIGH) WERE LOCATED AT THE INTERIOR MEETING RAIL. ONE (1) STRIP OF CENTER FIN WEATHERSTRIP (0.190" HIGH) WAS LOCATED AT TOP RAIL. ON (1) STRIP OF CENTER FIN WEATHERSTRIP (0.310" HIGH WAS LOCATED AT BOTTOM RAIL.



EQUIPMENT FLOOR P


SCALE : 3/16" = 1'-0"

545 ST

Designing your Community for over 30 years

CREATIVE DESIGNS

BY SCOTT RAPOZA



for: DEL'S LEMONADE c/o Pat

1050 MASSACHUSETTS AVE.

ARLINGTON, MA





# SITE SURVEY

11 KNIGHT ST. BLDG. E18 WARWICK, RI

Sign face insert: 24"h x 42"w  
Ground to the bottom of the sign: 89"  
Ground to the top of the sign: 113"  
Internally Illuminated w/ Fluorescent Lamps






# S Q U A R E

Hot-Dogs

Pick-Up



 Dels\_Boston

Soft-Pretzels

Order



[Dels.com/Boston](https://Dels.com/Boston)

Ice-Cream

Menu

<b>Frozen Lemonade:</b>	
Mini:	\$2.00
Medium:	\$2.00
Jumbo:	\$2.00
1/2 Gallon:	\$2.00
5 Gallon:	\$2.00
<i>Lemon, Watermelon, Cherry, Blueberry, &amp; Grapefruit</i>	
<b>Gifford's Ice-Cream:</b>	
Kiddie:	\$1.50
1 Scoop:	\$3.50
2 Scoop:	\$4.25
Build Your Own Sundae:	\$1.50
<i>2 scoops, 2 toppings &amp; sauces</i>	
Frappe / Flurry:	\$3.75
<b>Flavors:</b> Vanilla, Chocolate, Mint Chocolate Chip, Strawberry, Cookie Dough, Cookies n' Cream, Moose Tracks, Black Raspberry	
<b>Toppings:</b> Sprinkles, Candies, Nuts	
<b>Sauces:</b> Hot Fudge, Strawberry, Peanut Butter, Whipped Cream, Carmel	
Soft-Pretzel	\$2.75
Hot-Dog	\$3.75

Frozen  
Lemonade

1050



**HOURS:**  
Sunday - Thursday 11:00AM-9:00PM  
Friday & Saturday 11:00AM - 11:00PM

508-555-5555





Window 34"x14.5"

Window 34"x14.5"

Window 34"x14.5"

Hot-Dogs

Soft-Pretzels

Ice-Cream

Pick-Up

Dels\_Boston

instagram  
2.25" x 18.5"

Order

Dels.com/Boston

web address  
2.25" x 20"

Menu

Frozen Lemonade:  
Mini: \$2.00  
Medium: \$2.00  
Jumbo: \$2.00  
1/2 Gallon: \$2.00  
5 Gallon: \$2.00  
Lemon, Watermelon, Cherry, Blueberry, & Grapefruit

Gifford's Ice-Cream:  
Kiddie: \$1.50  
1 Scoop: \$3.50  
2 Scoop: \$4.25  
Build Your Own Sundae: \$1.50  
2 scoops, 2 toppings & sauces  
Frappe / Flurry: \$3.75

Flavors: Vanilla, Chocolate, Mint Chocolate Chip, Strawberry, Cookie Dough, Cookies n' Cream, Moose Tracks, Black Raspberry

Toppings: Sprinkles, Candies, Nuts  
Sauces: Hot Fudge, Strawberry, Peanut Butter, Whipped Cream, Carmel

Soft-Pretzel \$2.75  
Hot-Dog \$3.75

Menu Area  
32" x 54"

Window 34"x60"

Food Text on upper windows  
4.25" x 22.75"

Door Glass Area 36.625" x 76"

1050



of Arlington

HOURS:  
Sunday - Thursday 11:00AM-9:00PM  
Friday & Saturday 11:00AM - 11:00PM

508-555-5555



Address 3" x 10.5"

Lemon 15" x 22"

"of Arlington" 3.5" x 14.5"

Hours & Phone # 30" x 8.5"

Brand Logos 24" x 7"

Dimensions for new windows; 35" x 58 3/8



PAP Inc. DBA Del's Lemonade  
1050 Mass Ave  
Arlington, MA 02474

## **2021 Del's Lemonade of Arlington Menu**

### **All-Natural, Soft-Frozen Lemonade:**

Lemon  
Watermelon  
Blueberry  
Cherry  
Grapefruit

### **Ice Cream**

Gifford's Famous Ice Cream  
Flavors: TBD

### **Snacks:**

Hot Dog  
Soft Pretzel

### **Drinks:**

Bottled Lemonade  
Bottled Water  
Soda

### **Sweets:**

Old-fashion Candy



PAP Inc. DBA Del's Lemonade  
1050 Mass Ave  
Arlington, MA 02474

### **Façade and Signage Plan**

#### **Façade:**

The building will keep its existing structure. The windows will be replaced to allow for customers to takeout all orders. Customers will not be allowed inside the building.

#### **Signage:**

Pictured below is a street view of 1036-1062 Mass Ave. There are existing signage boxes that measure 42"X24". The signs are acrylic based and are illuminated by an electrical box.



#### **Plan:**

The proposed plan would be to display our logo shown below.  
Color's including: Green, White, and Yellow.





**Additional Signage:**

White vinyl lettering will be used on the transom windows and the entrance door. These letterings will highlight menu offerings and store information.

Transom Windows: There are 4 transom windows that will display menu offerings that include "Ice Cream", "Frozen Lemonade", "Hot Dog" and "Soft-Pretzel"

Entrance Door: The door will provide our operating hours and contact information.

**\*\*Please see layout plan for more details.**



PAP INC. DBA Del's Lemonade  
1050 Mass Ave Arlington MA



## **Arlington Redevelopment Board Application for Special Permit**

### **Dimensional and Parking Information:**

Parking for building structures 1036-1052 Mass Ave is located in the rear of building as well as along Mass Ave. The rear parking, as stated below, is for the use and benefit for all tenants and their customers. Parking is designed as a first come first serve basis with no overnight parking. Additionally, public parking is located on both sides of Mass Ave. There is a traffic light and crosswalk to allow pedestrians the ability to safely cross the street.

#### *Per lease:*

Tenant shall have the non-exclusive right, along with other tenants of the Building, to use parking spaces at the rear of the building on an unreserved first come first served basis. Tenant agrees and understands that said parking spaces are for the use and benefit of all tenants of the Building, their agents, employees and customers. No overnight parking in said parking area will be permitted and such overnight parking by the Tenant, Tenant's agents or employees shall be a breach of condition of this Lease.

### **Proposed Landscaping:**

Not applicable as no changes will be made to the landscape. All landscaping alterations and maintenance will be directed by the Landlord.

#### *Per Lease:*

Operating Expenses: Tenant shall pay, as Additional Rent, its pro-rata share of all of the Operating Expenses of the Building. For purposes of this Lease, "Operating Expenses" shall include, but not be limited to, insurance and out of pocket costs and expenses incurred by Landlord in maintaining and repairing the Common Areas.

### **Stormwater Management Plan:**

Not Applicable as this project is not new construction.



**Town of Arlington Redevelopment Board  
Petition for Special Permit**

1. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The landscape will be preserved in its natural state as only grade changes will be made. The proposed grade changes will be to update the windows to allow for window take out serve. In an effort to adapt to our new normal this will reduce the indoor contact of customers and Del's workers, allowing customers the ease of not needing to tie up dogs, dock bikes or take kids out of strollers. This will align with the general appearance of the neighborhood and will be convenient for the active community.

2. Relation of Buildings to Environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.

The existing building and structure will not be changed and will keep its current relation with the environment. Nothing new will be protruding out to impact shadows on abutting property.

3. Open Space. All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

We will have a clean window; the externally visible partition on the inside of our store is for aesthetic purposes to entice customers to our window. This partition will be minimalistic in design, a white painted partition with a Del's logo.

4. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Given the nature of our take out window and no seating areas, we will be fast casual allowing customers to come and go rather quickly. There will be little loitering outside of our store. As for parking there is



public free parking on Mass Ave, in addition there is a non-exclusive parking lot at the rear of building for employees and customers.

5. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Storm water is controlled by the property management company; the building is currently in good standing order and practices standard maintenance protocol.

6. Utility Service. Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

We are on the public sewage line that is managed through our property management. For solid waste we have hired a certified company, Republic Services, on a regular cadence as needed. All utility services; electric, telephone and cable will be underground.

7. Advertising Features. The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw. 4 Updated August 28, 2018

The exterior façade is part of the current building structure and will be updated by inserting into the current façade. The sign size and material will remain the same, the sign is illuminated and the materials are acrylic based and the sign measures 42" X 24". The interior sign will be seen through the windows and will be centered on our partition. The windows will have a tasteful font that displays our menu. The 4 transom windows will each read one word, the words will be the following; frozen lemonade, ice-



cream, hotdog, soft pretzel. The door will have business hours and contact information. All words will be cohesive in design and material, same font, white laminate letters.

8. Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

All machinery and storage areas will all be out of sight and divided by the partition to be aesthetically pleasing. The service area will be a well-lit, clean, respectful area. The customer will be viewing service station through the glass windows where they can be confident that the end product is to the highest quality and cleanliness.

9. Safety. With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

No customers will be permitted inside the building due to the nature of our take-out window and business model. With regards to employees there are two exits one in front and rear that are highlighted by exit signs. The interior layout is designed with intention to allow for employees to safely exit entrances, all hallways and open areas are up to safety code. Our interior is up to fire code.

10. Heritage. With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

All heritages will not be disrupted by our business. The heritage of the building and town of Arlington will not be altered.

11. Microclimate. With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

We will not be altering any of the microclimate with our proposed business design.

12. Sustainable Building and Site Design. Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with



narrative description that indicates how the LEED performance objectives will be incorporated into the project. [LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b> ]

LEED checklist and performance objects attached.

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

Per the town hall this request has been deemed a special permit as the windows are being replaced.

2. The requested use is essential or desirable to the public convenience or welfare.

Yes, this is essential and desirable for many as the ease of a takeout window allows for social distancing, as well as, convenience for pedestrians.

3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

Correct, the menu is specifically designed for fast transactions impede on the general flow of traffic.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

We will abide by town ordinance to not overload any of the public's systems. We will do our part to avoid hazardous actions that affect health, safety or general welfare

5. Any special regulations for the use as may be provided in this Bylaw are fulfilled.

Confirmed we will fulfill all bylaws stated.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

We will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

Our presence will not cause a detriment to the character of this neighborhood.



# LEED v4 for ID+C: Retail Project Checklist

Project Name: Del's Lemonade 1050 Mass Ave Arlington, MA  
Date: 2/16/2021

Y ? N		Credit	Integrative Process	2
36	0	0	Location and Transportation	18
18			LEED for Neighborhood Development Location	18
8			Surrounding Density and Diverse Uses	8
7			Access to Quality Transit	7
1			Bicycle Facilities	1
2			Reduced Parking Footprint	2
12	0	0	Water Efficiency	12
Y			Indoor Water Use Reduction	Required
12			Indoor Water Use Reduction	12
0	0	0	Energy and Atmosphere	38
Y			Fundamental Commissioning and Verification	Required
Y			Minimum Energy Performance	Required
Y			Fundamental Refrigerant Management	Required
			Enhanced Commissioning	5
			Optimize Energy Performance	25
			Advanced Energy Metering	2
			Renewable Energy Production	3
			Enhanced Refrigerant Management	1
			Green Power and Carbon Offsets	2
3	0	0	Materials and Resources	14
Y			Storage and Collection of Recyclables	Required
Y			Construction and Demolition Waste Management Planning	Required
1			Long-Term Commitment	1
			Interiors Life-Cycle Impact Reduction	5
			Building Product Disclosure and Optimization - Environmental Product Declarations	2
			Building Product Disclosure and Optimization - Sourcing of Raw Materials	2
			Building Product Disclosure and Optimization - Material Ingredients	2
2			Construction and Demolition Waste Management	2
6	0	0	Indoor Environmental Quality	16
Y			Minimum Indoor Air Quality Performance	Required
Y			Environmental Tobacco Smoke Control	Required
			Enhanced Indoor Air Quality Strategies	3
			Low-Emitting Materials	3
			Construction Indoor Air Quality Management Plan	1
			Indoor Air Quality Assessment	2
			Thermal Comfort	1
2			Interior Lighting	2
3			Daylight	3
1			Quality Views	1
5	0	0	Innovation	6
6			Innovation	5
			LEED Accredited Professional	1
0	0	0	Regional Priority	4
			Regional Priority: Specific Credit	1
			Regional Priority: Specific Credit	1
			Regional Priority: Specific Credit	1
			Regional Priority: Specific Credit	1
64	0	0	TOTALS	Possible Points: 110
				Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80+





## **LEED Objectives Performances**

### **Location and Transportation**

LEED for Neighborhood Development Location: We are excited to begin this project within the Arlington neighborhood and provide a service that is new and unique to the town. We are extremely conscience of energy and the changing environment. We will do everything in our power to reduce our carbon footprint. Through the takeout window we are providing a service to the community that will promote social distancing, limit indoor contact, and create an ability to provide service for the active community such as; bikers, families with small children, and dog owners.

#### **Surrounding Density and Diverse Uses:**

Our operation is unique to this area; as we are one of the few ice-cream and fast casual dining offerings. In the building structure that we are going to located in there is an eye doctor, hair salon, dog spa, camera repair, daycare, and pizza parlor. Our brand will bring a unique and enjoyable experience to the neighborhood

#### **Access to Quality Transit:**

The location is very accessible for commuters. There are bus Routes 77 and 79 stops within hundreds of feet. In addition there are commuter rails 2 miles away.

#### **Bicycle Facilities:**

Due to the nature of our take-out window operation, customers do not have lock their bikes. Moreover we are excited our location is closely located to the minuteman bikeway that will provide nice refreshments for the active community.

#### **Reduced Parking Footprint:**

Our takeout window and allows for quick transactions that will limit loitering.

### **Water Efficiency**

Water Efficiency: We are extremely conscientious of water efficiency and the water usage; all employees will be trained to reduce water, all nozzles will be properly shut off once the water usage is complete.



## **Materials and Resources**

### **Long-Term Commitment:**

We are committed to making 1050 Mass Ave our long-term home. We have committed to a 5 year lease with the option to re-sign for an additional 5 years.

### **Construction and Demolition Waste Management:**

The demolition of the current building will be limited as there is only one minor structure that needs to be removed. All new construction has been conscientiously thought out to limit any wasted materials and to create a more efficient use of the space and effective operation.

## **Indoor Environmental Quality**

### **Interior Lighting:**

Our operation is seasonal so we benefit from the longest days of the year offering mostly natural light. The front half of our store will be primarily lit via natural daylight all day. The back half of the store will be using LED light bulbs to ensure the most energy efficiency.

### **Daylight:**

Daylight will be maximized in our space as all service will be provided via the takeout window.

### **Quality Views:**

The sight has been thoughtfully designed in an effort to provide an aesthetically pleasing view of our service area. The visible wall that divides the front and the back room will have a clean, well designed look.

## **Innovation**

### **Innovation:**

We are evolving with the new normal through this takeout window; we recognize that this is the safest and most efficient way to serve our customers and have adapted to this new model. This will also allow customers to quickly place and receive orders and have the ability to do so without entering the building.



**From:** Anne DiNoto <dinotoanne@gmail.com>  
**To:** jraitt@town.arlington.ma.us  
**Date:** 04/11/2021 11:52 AM  
**Subject:** Del's Lemonade

---

**CAUTION:** This email originated from outside of the Town of Arlington's email system. Do not click links or open attachments unless you recognize the REAL sender (whose email address in the From: line in "< >" brackets) and you know the content is safe.

Dear Ms. RAITT,

I read the notice and plans for Del's at 1050 Massachusetts Avenue and I am interested to know if there has been discussion about a public rest room, seating and landscaping. I live in the neighborhood and would appreciate if a public restroom, seating and beautification available. I realize it is extra work and money to provide a public restroom, landscaping and seating but I think it would be beneficial to the neighborhood. Often times and especially the past year I limit my walks or bike rides based on access to public restrooms. Also, I walk with a senior women with mobility issues who often times needs a place to sit down. In addition seating would provide a place for the community to gather which is greatly needed in this area with the hopes of increasing the sense of community and decrease traffic speeds. Also, seating with shade like umbrellas would be good for hot days.

In addition it would be lovely to have planters with seasonal and native plants for beautification purposes.

I appreciate your time to consider my requests and look forward to welcoming another small business to the neighborhood. Please let me m now if there are other ways that may be helpful to express my desire to add a public restroom, shared seating and landscaping beautification.

Sincerely,

Anne DiNoto  
6 Burton St, Arlington, MA 02476  
[Dinotoanne@gmail.com](mailto:Dinotoanne@gmail.com)  
781-646-0252



## Town of Arlington, Massachusetts

---

### Article 35 Substitute Motion

#### Summary:

7:30 p.m. Board will discuss Article 35 Substitute Motion filed by Kristin Anderson, Precinct 13, Town Meeting Member.

#### ATTACHMENTS:

Type	File Name	Description
☐ Reference Material	Agenda_Item_2_-_Article_35_Amendment_letter.pdf	Article 35 Amendment Letter

# Arlington 2021 Annual Town Meeting – Motion to Amend

## Article 35, Industrial Uses

Date: April 18, 2021

I, Kristin Anderson, move to amend the recommended vote of the Arlington Redevelopment Board under Article 35 to remove references to residential uses by making the following changes:

In the section: **Definitions associated with Art/Cultural Uses**, striking the following definition in its entirety:

Artists' Mixed-use: The use of all or a portion of a building for both habitation and Artistic/Creative Production use, or a combination thereof. Refer to Section 5.6.4.

Striking the following section in its entirety such that Section 5.6.1.B of the current Arlington Zoning Bylaw remains unchanged:

**Amend SECTION 5.6.1.B.:** \_\_\_\_\_

B. The Industrial District in the Mill Brook Valley allows uses requiring the manufacture, assembly, processing, or handling of materials and requires additional measure to prevent traffic, noise, appearance, odor, or hazards from becoming disruptive to residential and other business uses. In this district, the Town discourages residential uses, retail business uses, or uses which would otherwise interfere with the intent of this Bylaw. Mixed-use development is allowed without residential space allows residential uses, retail business uses, and restaurants if they are accessory to an industrial use to support the continuation of industrial uses in Arlington. Mixed-use development is allowed with all uses.

In the section: **Amend SECTION 5.6.3.**, striking in its entirety the line for Artists' Mixed-use in the table under the heading “Class of Use” and subheading “Residential”.

In the section: **Amend SECTION 5.6.3.**, under “Notes” in the table, striking the amendments to Note D such that the current Note D remains unchanged in the Arlington Zoning Bylaw.

In the section, **5.6.4 Uses in the Industrial Districts.**, striking in their entirety the following two subsections

**A. Artists' Mixed-Use**

**H. Mixed-Use Building in the Industrial District.**

and changing the letter designations of the remaining subsections from B-G to A-F.

Signed: \_\_\_\_\_

Kristin Anderson, Precinct 13 TMM



## Town of Arlington, Massachusetts

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### Meeting Minutes (3/29/21)

#### Summary:

7:50 p.m. Board will review and approve minutes

#### ATTACHMENTS:

Type	File Name	Description
<input type="checkbox"/> Reference Material	Agenda_Item_3_-_Draft_ARB_meeting_minutes_03-29-21.pdf	Draft ARB Meeting Minutes 3/29/21

**Arlington Redevelopment Board**  
**March 29, 2021, 7:00 p.m.**  
**Remote Open Meeting**  
**Meeting Minutes**

This meeting was recorded by ACMi.

**PRESENT:** Rachel Zsembery (Chair); David Watson; Eugene Benson; Kin Lau; Melisa Tintocalis

**STAFF:** Jennifer Raitt, Director, Planning and Community Development; Erin Zwirko, Assistant Director, Planning and Community Development

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The Chair called the meeting to order and notified all attending that the meeting is being recorded by ACMi.

The Chair explained that this meeting is being held remotely in accordance with the Governor's March 12, 2020 order suspending certain provisions of the Open Meeting Law G.L. c. 30A, Section 20. This order from Governor Baker allows for meetings to be held remotely during this time to avoid public gatherings.

The Chair introduced the first agenda item, Annual Town Meeting Warrant Article Hearings, beginning with Article 47, Zoning Bylaw Amendment, requirement for off-street handicap parking; Darcy Devney of the Disability Commission presented the article; the Chair then turned to the Board for questions.

Mr. Benson asked whether Ms. Devney had any suggestions on where to put handicap parking spaces if there is no parking available. Ms. Devney replied if there is parking, at least one space must be accessible; and if there is no parking, the Town would handle that the way they have handled on-street parking.

Mr. Lau asked if, in the event there are existing nonconforming parking spaces in a lot, the Town should convert an existing space accessible; Ms. Devney replied yes.

Ms. Devney and Mr. Lau discussed parking space dimensions. Mr. Lau stated he is concerned that the amendment precludes anybody from doing anything because they do not have the space. Ms. Devney replied the developer needs to ask the MAAB for a waiver. Mr. Lau requested that the amendment state that a waiver process should start with the Disability Commission or a similar body. Mr. Benson suggested he could supply appropriate wording to address that option. Mr. Lau asked if any other similar Towns have adopted this, and how successful or unsuccessful it has been. Ms. Devney replied that there have only been two, but Arlington could be a role model for this.

Ms. Zwirko stated she found an example in Cambridge and Needham where reductions are allowed through a special permit, which is very similar to how it works in Arlington; but there is a clarification that the reduction is not applicable to the required number of handicap placard parking spaces that are otherwise required by the MAAB regulations.

Mr. Watson requested that, with respect to the amendment that Mr. Benson brought up with the number of required spaces being zero, when the Town drafts new language for that exception, it be very clear that that number is zero after any permitted reductions, not that it is not zero to begin with. With respect to the MAAB waiver process, if any waiver is going to be requested, it must be sought and received prior to the Town being able to permit a project, or else make it conditional on the receipt of such a waiver. Mr. Watson stated his concern about a required handicap placard space displacing other uses in a redeveloped building. Mr. Watson stated the ARB should be able to exercise discretion in such cases. Mr. Lau agreed.

The Chair asked Mr. Watson if he is looking for an opportunity within this bylaw change for the Redevelopment Board to exercise discretion, specifically for constrained sites with existing parking. Mr. Watson replied this is correct, especially where that parking is fully utilized by current tenants.

Ms. Tintocalis asked whether, given the on-street analysis that was done before the parking meters went in, was there any analysis done to the off-street. Ms. Raitt stated that an accessible parking study was conducted by the Disability Commission three or four years earlier, resulting in the installation of additional spaces throughout Town.

The Chair opened the meeting for public comments.

James Fleming spoke in support of the Article as a reasonable measure to ensure accessible handicap spaces.

Don Seltzer proposed a possible solution to the question about deeded or assigned spots in a small lot: redraw the lines as the situation changes.

Carl Wagner stated that five years earlier, the town mistakenly gave the ARB wide latitude to reduce the parking requirements to up to 75 percent.

The Chair stated they are working on finding a way that the Town can move forward on this with an understanding of what happens to parking in edge conditions. She recapped Mr. Benson's question, if the amendment required is zero, then there would be no required on-site handicapped parking; she stated the meeting on April 5 would look at language to address some of these existing challenges. Mr. Watson and Mr. Benson expressed their willingness to work with the Disability Commission. Mr. Watson stated, with respect to Mr. Seltzer's earlier comment, Mr. Watson's condo building does have geographically designated parking spaces, so the Town cannot just decide to reassign them.

The Chair moved to Article 48, Zoning Bylaw Amendment, ADA and MAAB standards in administration and enforcement. Ms. Devney presented the article.

The Chair turned to the Board for questions. Mr. Lau spoke in support of the amendment; Mr. Benson and Mr. Watson agreed. The Chair stated she has no issues with the intent but requested to see if the town could specifically refer to the state building code and accessibility standards rather than specifically call out the individual sections of the building code. Ms. Devney stated that the Building Inspector is responsible for doing the 5-2-1 CMR but this would get farther if the Disability Commission were brought into the conversation earlier. The Chair stated she has no issue with highlighting accessibility standards but would end this there, rather than calling out the specific code sections already included under the wording of the state building code. Ms. Devney stated she would think about that.

The Chair opened public comment.

Christian Klein stated the ADA is a federal law and typically not enforceable at the local level; and something like this might be better served in Title 6 of the regular bylaws.

Mr. Seltzer spoke in support of the Article but stated it should be part of the Environmental Design Review process.

Absent further public comment, the Chair returned to the Board for comments. Mr. Benson spoke in support of the change in the wording. The Chair asked Ms. Devney if this is something she would consider; Ms. Devney replied that she understood the point about taking out the ADA, and she would put in the MAAB only because their regulations are more extensive and have slightly higher standards in many ways than the ADA. The Chair stated they would take another look between now and Monday and will reach out with any questions.

The Chair moved to Article 46, Zoning Bylaw Amendment, Teardown Moratorium. Lynette Culverhouse presented the article.

The Chair turned to the Board for questions. Mr. Benson stated the article seems to say that a homeowner could not demolish/rebuild for two years during the moratorium. Ms. Culverhouse stated that was not her intention. Mr. Benson

asked if Ms. Culverhouse would agree to amend the language to allow current homeowners to demolish/rebuild; Ms. Culverhouse agreed. Mr. Benson mentioned other scenarios that would be affected by the moratorium and would benefit from language change. Ms. Culverhouse agreed again; discussion followed. Mr. Benson recommend further study; Ms. Culverhouse stated she would be open to discussing that. Mr. Watson agreed with Mr. Benson's concerns and urged Ms. Culverhouse to focus on the study aspect. Ms. Tintocalis stated she sympathized with the Article's intent and asked Ms. Culverhouse what outcome she hopes for after the two-year moratorium; Ms. Culverhouse replied that she would hope for a set of standards focusing on renovation and reuse rather than teardown. Ms. Tintocalis asked Jenny or Erin if they had seen less punitive incentives elsewhere; Ms. Raitt replied not specifically for this model. Ms. Tintocalis asked for the number of single-family homes in Arlington, and then the average teardown annually; Kelly Lynema, Senior Planner, replied that an average of about 27 homes a year were demolished but that included two-family homes; and there are 8,000 single-family homes in town. Ms. Culverhouse stated that averages out to about 20 single-family homes a year. Ms. Raitt stated that a map has been provided that would outline the number of potential properties impacted by this bylaw. Ms. Lynema discussed the map presented by Ms. Raitt. Mr. Lau agreed with Mr. Benson and Mr. Watson, favoring a study over a moratorium.

The Chair opened for public comments.

John Worden spoke in support of the moratorium, stating another study would merely delay action on teardowns.

Patty Muldoon urged the Board to work with Ms. Culverhouse to make this a viable article that Town Meeting can work with, because there is no time for studying while houses are being torn down.

Ellen Cohen spoke in support of the moratorium.

Carl Wagner spoke in support of the article and stated the people who would be temporarily disabled would be developers who buy properties and then flip them.

Don Seltzer stated that the reported number of smaller homes built before 1950 that could be affected by this moratorium -- 2,790 -- is not correct and overstates the number by more than a factor of three; the actual inventory is about 871 homes, about 10 of which are two-family.

Stuart Brorson spoke in support of the amendment.

Steve Revilak stated that if the Board does decide to move forward with the Article, the language should be tightened up.

Matthew Owen suggested if the Board is serious about affordability and environmental issues, they should consider changing the Zoning Bylaws so that teardowns can be replaced by duplexes or triplexes or larger units.

Gary Hawley spoke in support of the moratorium and stated that teardowns are inimical to diversity.

Karen Samuelson spoke in support of the moratorium.

The Chair turned the meeting back to the Board. Mr. Watson asked whether Town Counsel has done any analysis of the legal implications of the moratorium. Ms. Raitt replied yes. Mr. Benson stated he is sympathetic to some of what Ms. Culverhouse is interested in doing but this moratorium is too broad. He hoped the Board would work with Ms. Culverhouse to either find something more narrowly tailored or come back in two years with something that has been studied. The Chair agreed with Mr. Benson that the broadness of the article is a concern. Mr. Lau suggested less stick and more carrot, with incentives. The Chair stated this would need to come out from part of the study. Mr. Lau agreed. The Chair stated that

members of the Board would be willing to work with the proponent. Ms. Culverhouse asked whether this would have to be done before next week; the Chair replied yes.

The Chair moved to Article 49, Zoning Bylaw Amendment, Side Yard Sky Exposure Planes. Ted Fields presented the article.

The Chair turned to the Board for questions. Mr. Lau and Mr. Fields discussed flat versus hilly grades. Mr. Fields stated non-level lots present different challenges. Mr. Lau asked him for his thoughts about their recommendation of following design guidelines. Mr. Fields stated this Article supports all of the main design principles in the design guidelines. Ms. Tintocalis asked for images of examples in Natick or Cambridge; Mr. Fields agreed to find some. Ms. Tintocalis asked about balconies; Mr. Fields replied they are not exempted but he is not averse to modifying that. Mr. Watson stated this is much more technical than most proposals and requested as many examples as Mr. Fields could provide of structures in Arlington that could not be built if this were in effect, and how those planes would look in those cases. Mr. Fields agreed to provide some estimates on what they would look like with the side yard setback. Mr. Watson asked whether it is not possible for the town to modify the existing dimensional requirements to reduce massing, rather than introducing what is a complex new analysis into the process. Mr. Fields replied it is possible. Mr. Watson stated he would need some time to fully understand the implications of adding this new analysis to the town's dimensional requirements. Mr. Benson requested Mr. Fields discuss the impact of new houses on their neighbors, vis-a-vis other problems that this article would address other than height differential and the view next door. Mr. Fields stressed the impact of the height differential, shadows, and restriction of sunlight. Mr. Benson brought up the Doctrine of Ancient Light, a doctrine in England before the Industrial Revolution that said one could not build a structure that blocked the light on an adjoining structure; eventually, this was repealed across England and the United States as a deterrent to development. Mr. Fields and Mr. Benson discussed possible exemptions. Mr. Fields reminded that this only applies to new construction. Further discussion followed. Mr. Lau asked Mr. Fields whether his exceptions might include minor roof overhangs. Mr. Fields replied that he spells that out more in the actual motion and provided details.

The Chair opened Article 49 for public comment.

Carl Wagner stated that the issues Mr. Fields raised are important.

Wynelle Evans spoke in support of the article.

Steve Revilak stated that Section 5.42.B2 in the zoning bylaw contains some exemptions for side yard setback requirements and requested that the Board and Mr. Fields consider whether sky plane exposure should be added to those exemptions. Mr. Fields stated he would take that under advisement.

The Chair recapped that there were a few requests about some clarifications about not overwriting the side yard setbacks; Mr. Revilak had a good question about the exemptions in 5.42.B2; there was a request to look at exceptions due to topography; and a request for imagery to see how this manifests itself in Cambridge or Needham, and to potentially diagram over some of the property images that Mr. Fields had provided as reference for what a rough impact analysis might look like. Mr. Benson requested Mr. Fields address how, if abutting side yard houses are already two and a half stories high, the sky plane would not limit the size of a house built between them. Mr. Fields agreed.

The Chair moved to Article 44, Zoning Bylaw Amendment, Parking Minimums. James Fleming presented the article.

The Chair turned to the Board for questions. Mr. Benson wanted to hear if the other Board members approved of the 6,500-square-foot requirement; Mr. Watson asked whether, other than the 6,500 number, anything else had changed from Mr. Fleming's previous appearance before the Board. Mr. Fleming stated the original proposal was to eliminate parking minimums altogether, and it was made extremely clear that that was not going to fly, so he scaled it back. Mr. Watson



stated the proposal is in line with the incremental relaxation of parking requirements over the past few years, but he shares Mr. Benson's concern about the 6,500 square feet because it seems arbitrary. He encouraged Mr. Fleming to come up with a solution that is more flexible in the event of an unanticipated situation. Mr. Fleming consented. The Chair asked the other Board members if there was any risk should the Board put in a square footage requirement for the B3 and B5 might districts; Mr. Watson asked Mr. Fleming why he thought there should be a limitation. Mr. Fleming stated that he will work with the Board's suggested numbers. Mr. Benson asked the staff if they think the 6,500 would end up being a problem in terms of businesses and buildings in town. Ms. Raitt stated she would need to study this further. Mr. Lau agreed with The Chair and recommended no specified square footage. Ms. Tintocalis stated she leans toward no minimum on the square footage. Mr. Watson agreed with Mr. Benson that if there is some language stating that this is discretionary, then eliminating the 6,500 square foot number allows the town to exercise some discretion. The Chair informed Mr. Fleming that Mr. Benson will be reaching out to him with a proposed change to some of the article language.

The Chair moved to Article 37, Zoning Bylaw Amendment, Multifamily Zoning for MBTA communities. The Chair stated the Board did not intend to support moving forward at this time.

Absent comments from the Board, The Chair requested a motion to continue the hearing to Monday, April 5, **moved; seconded**; the Board voted unanimously in favor (5-0).

The Chair moved to Docket #2150, continued Public Hearing for 49-51 Grove Street. Jeff Alberti spoke on behalf of the DPW, addressing the proposed bicycle rack and the Board's request that one of the parking spaces along Grove Street be changed to a handicapped spot. David Steves, architect, provided further details. Mr. Lau stated the revised plan is better than what was originally submitted. He suggested aesthetic changes to the entry and possibly raising the parapet on the roof. Mr. Benson requested an update on solar readiness; Mr. Alberti stated there was no change from last time. Mr. Benson stated that if the parking were not handicapped accessible because it did not meet the zoning bylaw requirements, he would have a hard time approving it, and asked how necessary it was to have three proposed parking spaces in the front. The Chair stated that she has no issue with the parking in front of the building. Aesthetic issues were discussed. Mr. Steves asked if the proponent got approval tonight, could they submit supplemental information to the Board and keep it apprised of the development of the design; Mr. Lau stated yes. Mr. Benson suggested a drop-off instead of parking. Mr. Lau supported this.

The Chair opened the hearing for public comment. Absent public comment, the Chair addressed the possible change of the parallel parking in front of the building to a drop-off; there was some confusion about a possible right-of-way issue. The Chair stated they would work with the appropriate town committees for a proposed curb line recess. The Chair asked for a motion to approve Docket #2150 as amended; **moved; seconded**; the Board voted in favor with one abstention (4-0-1).

The Chair moved to the meeting minutes of January 4, 2021. After corrections, the Chair requested a motion to approve the minutes as amended; **moved; seconded**; the Board voted in favor with one abstention (4-0-1).

The Chair moved to the minutes for January 25, 2021. After corrections, the Chair requested a motion to approve the minutes as amended; **moved; seconded**; the Board voted in favor with one abstention (4-0-1).

Meeting adjourned.

*\*highlighted sections will be updated at the 4/26 meeting.*